

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JESSE BALLARD,

Plaintiff,

Civil Action No. 13-CV-14662

v.

Honorable Patrick J. Duggan

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION, GRANTING DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT, and DENYING PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT**

On November 10, 2013, Plaintiff filed this lawsuit challenging the final decision of the Commissioner denying Plaintiff's application for disability insurance benefits. On February 19, 2014, Plaintiff filed a motion for summary judgment. On April 21, 2014, Defendant filed a motion for summary judgment. The Court referred both motions to Magistrate Judge Patricia T. Morris for all pretrial proceedings.

On October 29, 2014, Magistrate Judge Morris issued a Report and Recommendation (R&R) recommending that the Court deny Plaintiff's motion for summary judgment and grant Defendant's motion for summary judgment. At the

conclusion of the R&R, Magistrate Judge Morris advises the parties that they may object and seek review of the R&R within 14 days of service upon them. R&R at 25 (ECF No. 12 Page ID 527). She further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right of appeal.” *Id.* Neither party has filed objections to the R&R, and the time to do so has expired.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by the Magistrate Judge. The Court therefore adopts the Magistrate Judge’s R&R. Accordingly,

**IT IS ORDERED** that Plaintiff’s motion for summary judgment is **DENIED**;

**IT IS FURTHER ORDERED** that Defendant’s motion for summary judgment is **GRANTED**.

Dated: November 26, 2014

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:

Richard J. Doud, Esq.  
Derri T. Thomas, Esq.